

First, the Magistrate Judge fully addresses the Claimant's argument with regard to the ALJ's hypothetical question to the vocational expert. (Doc. 12 at 6-8). Nothing in the Claimant's objection alters the Magistrate Judge's analysis. Thus, the Court agrees with the Recommendation and finds that the ALJ sufficiently accounted for his findings regarding the Claimant's limitations in the hypothetical question posed to the vocational expert.

Further, the ALJ properly considered the Claimant's panic attacks in the ALJ's RFC findings. In addition to the Magistrate Judge's reasoning (Doc. 12 at 9-10), there is further support for this conclusion found in the ALJ's decision. When discussing the Claimant's mental impairments, after discussing the Claimant's diagnoses and symptoms of her panic/anxiety disorders, the ALJ specifically finds that "the Claimant's mental impairment meets the threshold diagnostic (or "A") criteria of Listing 12.04 (affective disorders) and Listing 12.06 (anxiety-related disorders)." (Doc. 7-6 at 30). Both Listings are found at 20 C.F.R. Pt. 202, Subpt. P., App. 1. Listing 12.04 deals with "Affective disorders: Characterized by a disturbance of mood, accompanied by a full or partial manic or depressive syndrome. Mood refers to a prolonged emotion that colors the whole physic life; it generally involves either depression or elation." Listing 12.06 deals with "Anxiety Related Disorders: In these disorders anxiety is either the predominant disturbance or it is experienced if the individual attempts to master symptoms; for example, confronting the dreaded object or situation in a phobic disorder or resisting the obsessions or compulsions in obsessive compulsive disorders." The threshold diagnostic criteria listed in subsection "A" of Listing 12.06 takes into account various symptoms of anxiety disorders, and the Listing specifically takes into account

“recurrent severe panic attacks.” Thus, the ALJ’s finding that the Claimant’s mental impairment meets the threshold diagnostic criteria of Listings 12.04 and 12.06 further supports the Magistrate Judge’s conclusion that the ALJ considered the Claimant’s panic attacks when making the RFC findings.

The Court has thoroughly considered the Claimant’s objection and has made a de novo determination of the portions of the Recommendation to which the Claimant objects. Accordingly, the Court accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge. The Recommendation is adopted and made the order of this Court. The decision of the Commissioner is **AFFIRMED**.

SO ORDERED, this 7th day of August, 2013.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT